

# 1997 SESSION

INTRODUCED

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## HOUSE BILL NO. 1799

Offered January 8, 1997

*A BILL for the relief of James F. Holden.*

Patron—Grayson

Referred to Committee on Claims

Whereas, Mr. Holden purchased two acres of land in James City County in 1989; and  
Whereas, in 1986, the State Board of Health had issued a permit to build a three bedroom residence on the property having determined that the property would "perk"; and  
Whereas, the permit to build was valid at the time Mr. Holden purchased the property; and  
Whereas, in 1990, Mr. Holden submitted an application to build a four bedroom residence; and  
Whereas, the application to build a four bedroom residence was denied, but the permit to build a three bedroom residence was approved again; and  
Whereas, Mr. Holden began construction on the property in 1990, completing a three car garage and a storage shed, and the initial footings for the house; and  
Whereas, Mr. Holden married in 1992 and decided to complete the project in 1995, but with certain changes to the original building plan; and  
Whereas, Mr. Holden submitted a new application for a building permit to the State Department of Health in 1995; and  
Whereas, after several meetings and appeals, Mr. Holden was denied any building permit for the property, including the permit for a three bedroom residence which previously had been approved because the property did not "perk"; and  
Whereas, the State Board of Health acknowledged that the 1986 permit was not issued in accordance with the applicable regulations; and  
Whereas, Mr. Holden has incurred costs of \$50,000 in purchasing the property, building on the property and paying property taxes and other expenses related to the property as a result of the original incorrect assessment by the State Board of Health that the property would "perk"; and  
Whereas, Mr. Holden has no other means to obtain relief except by action of this body; now, therefore,  
**Be it enacted by the General Assembly of Virginia:**  
**1. § 1. That there is hereby allocated from the general fund appropriation to the Department of Health the sum of \$50,000 for the relief of James F. Holden. This sum shall be paid by check issued by the State Treasurer on warrant of the Comptroller to James F. Holden, upon execution by him of a release of all claims he may have against the Commonwealth or any agency, instrumentality, officer, employee or political subdivision thereof, in connection with the aforesaid occurrence.**

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